



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Office of the Director
Group 3600

Paper No. 16

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In re application of	:	DECISION ON PETITION
James A. Ditch, et al.	:	FOR SECOND SUSPENSION
Application No. 09/238,510	:	OF ACTION UNDER
Filed: January 27, 1999	:	37 CFR 1.103 (a)
For: TIE DOWN FOR WHEELCHAIRS		

This letter is responsive to the petition to suspend action under 37 CFR 1.103(a) received on June 28, 2002.

The petition for suspension of action under 37 CFR 1.103(a) is **GRANTED**.

Applicant filed a petition on May 25, 1999 to suspend action by the examiner pending the resolution of ongoing litigation on November 15, 2000. That petition was granted on December 22, 2000. A second petition to suspend action for a period of six months for the same reason was filed on May 15, 2001. That petition was granted on May 30, 2001. A third petition to suspend action for a period of six months for the same reason as the previous two petitions was filed on November 28, 2001. That petition was granted on January 8, 2002. Applicant, for the fourth time, requests suspension of action by the examiner until the ongoing litigation is resolved.

Since resolution of the pending litigation has not been reached, the issues that prompted the original suspension and all subsequent suspensions remain. Thus applicants' request for an additional period of suspension of six (6) months is reasonable and is granted.


Action by the Office on this application is suspended under 37 CFR 1.103(a) for a period of six (6) months from the date of this letter. At the end of this period applicants are **required** to notify the examiner and request commencement of prosecution or a further suspension. See MPEP 709. If applicants wish to commence prosecution earlier than the expiration of the six month period, the examiner should be so notified.

The period for suspension will be six (6) months from the date of this letter.

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The application will be returned to the central files area of Technology Center 3600 to await applicants' notification that prosecution should be resumed.



Gerald Goldberg, Director

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rar: 9/10/02